



# **THE DO'S TO AVOID THE DON'TS: USING SOCIAL MEDIA IN AN ETHICAL FASHION**

**CLE COURSE NUMBER: 928013570  
THURSDAY, OCTOBER 5, 2017  
HOUSTON, TEXAS**

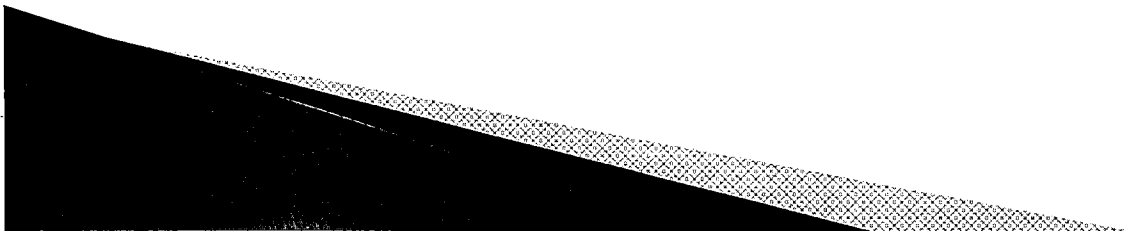


# Advertising & Marketing: Following the Rules

The Downtown Group  
October 5, 2017  
Houston, Texas

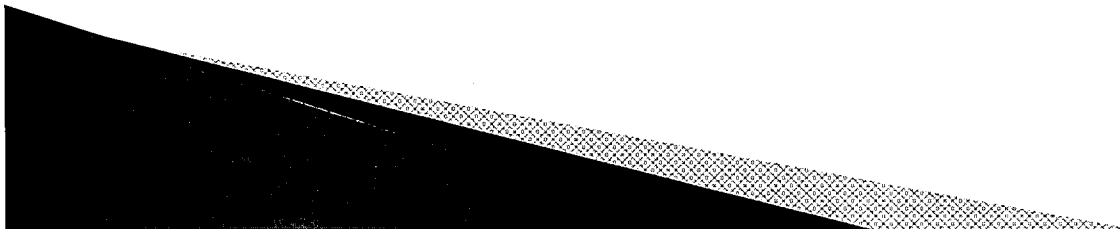
# Advertising Rules

- ▶ Protect the public from false, misleading & deceptive communications.
- ▶ Advertising Rules specify conduct for attorneys who promote their services to the public.
  - Part VII of the TDRPC (7.01 – 7.07)
  - Violations subject lawyers to the grievance process.



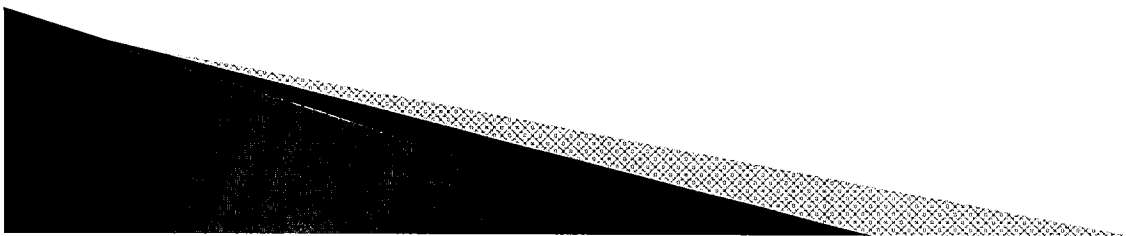
# How to File an Advertisement

- ARC has specific time frames to review submissions (Rule 7.07):
  - 25 days for Pre-approval; or
  - 40 days for Filings (Concurrent review).
- Fee is \$100.00.
- Application is online:  
[www.texasbar.com/adreview](http://www.texasbar.com/adreview)



# Advertising Rules

- ▶ The Number One Rule (not in the Rules):
  - The Committee does not regulate nor can it be blamed for taste issues in advertisements or solicitations .

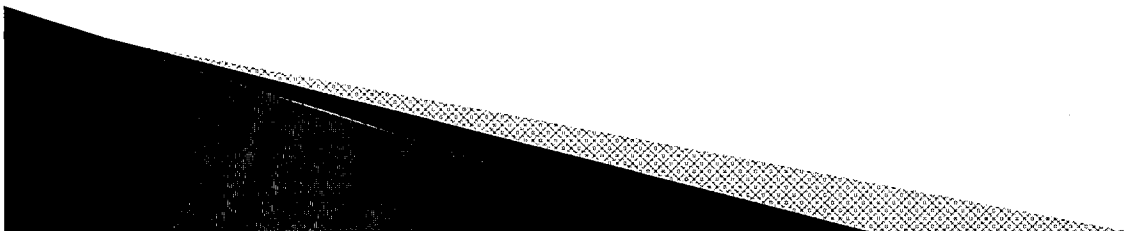


# Rule 7.01 – Firm Names & Letterhead

- ▶ Prohibits the use of trade names.
  - Examples of violations:
    - “Davis Legal Clinic”
    - “The Consumer Law Center”
- ▶ Prohibits lawyers from holding themselves out to be partners, shareholders, or associates unless they can provide substantiation.
- ▶ Descriptive URLs/Domain Names are OK if rule compliant.  
[www.texasconsumerlawyers.com](http://www.texasconsumerlawyers.com).

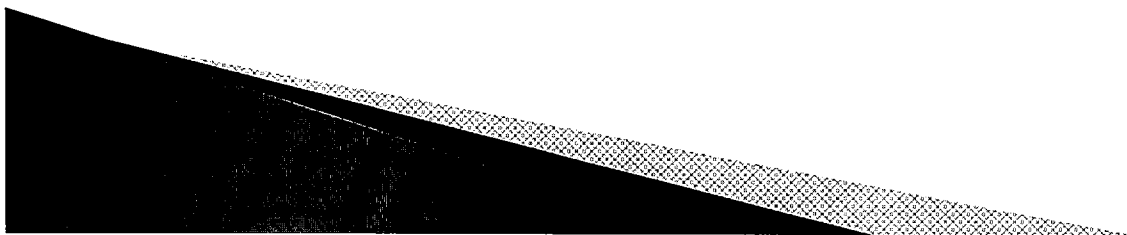
# Rule 7.02 – Communications Concerning a Lawyer’s Services

- ▶ All attorney communications are covered under Rule 7.02.
- ▶ Prohibits the following:
  - Material misrepresentations & omissions;
  - Guaranteeing results or creating unjustified expectations;
  - Unsubstantiated comparison of services (“best/top”);



# Rule 7.02 – Communications Concerning a Lawyer’s Services

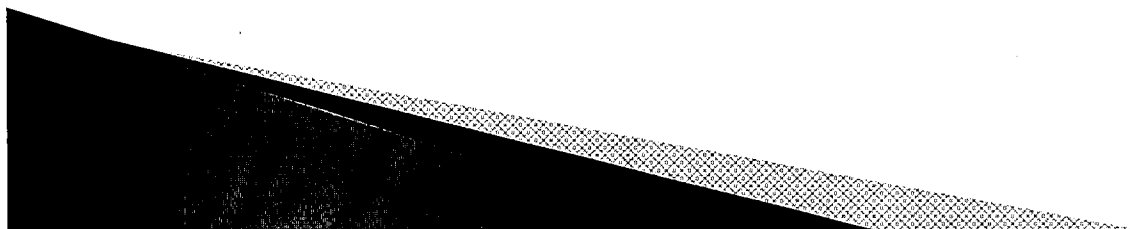
- Stating or implying ability to improperly influence court, judge or official;
- Advertising as a specialist, unless approved under Rule 7.04;
- Rule covers all languages used in the ad or solicitation;
- No actors or models to portray clients.





# Rule 7.02 – References to Past Successes or Results

- No reference to past successes or results UNLESS:
  - Lawyer was lead counsel or primarily responsible for the verdict or settlement;
  - Amount involved was actually received by the client. (“Net” to client);
  - Case & damage information is provided;
  - Attorney’s fees & litigation expenses are disclosed if the verdict or gross settlement amount is referenced.
  - Revised in 2005.



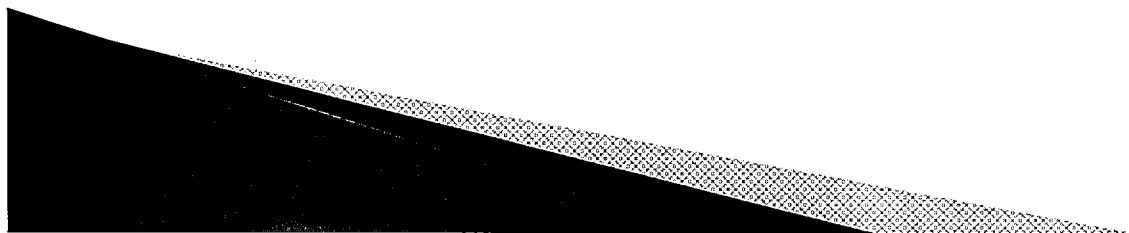
# Rule 7.04 – Advertisements in the Public Media

- ▶ Public media ads are materials that are made available to the general public including:
  - Billboard Advertisements;
  - Print ads in magazines, newspapers;
  - Telephone Directory Ads (“Yellow Pages”);
  - Television & radio ads, including “infomercials” & paid-for call-in shows; &
  - Websites/Social Media Profile Pages.




## Rule 7.04 – Advertisements in the Public Media

- ▶ What are not considered Public Media Advertisements?
  - Legal newspaper ads;
  - Legal directories listings;
  - Letters or materials mailed to other lawyers;
  - Information sent due to a request; &
  - Information sent to clients, past clients.

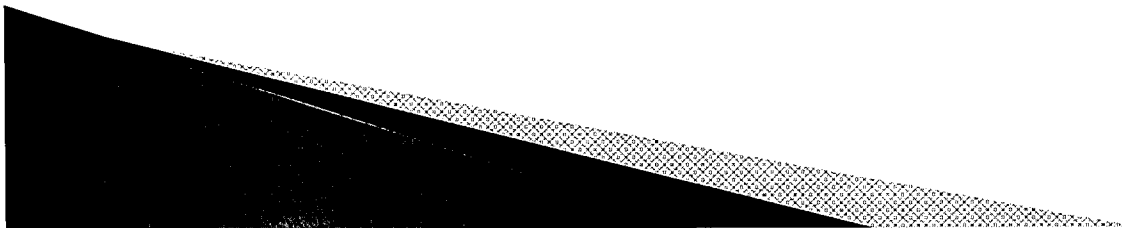


## Rule 7.04 – Advertisements in the Public Media

- ▶ Identify lawyer or law firm.
  - ▶ Designate the city location of principal office.
  - ▶ Cannot use an actor to portray a lawyer.
    - Be cautious with the use of “clip art” on websites
  - ▶ Cannot use an actor as a spokesperson where implication is that person is a client or lawyer of the advertising firm, but can use spokespeople (need disclaimers).
- 

## Rule 7.04 – Advertisements in the Public Media

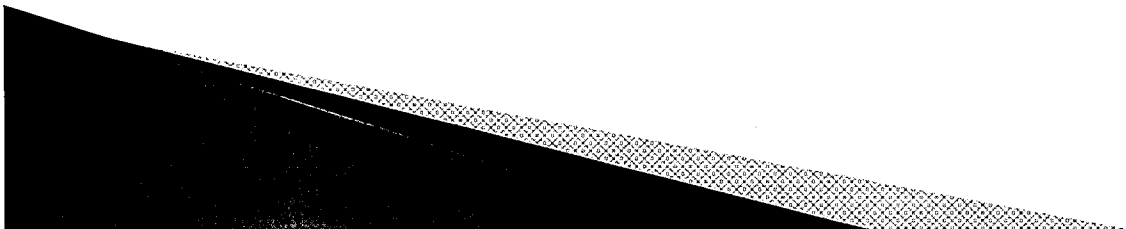
- ▶ Current Rules do not require the Board Certification disclaimer “Not Board Certified by the Texas Board of Legal Specialization (TBLS)”.
  - If not certified by TBLS, stay away from language that alludes to a specialization (“special, specialist, certified”).
  - Permitted statements: “limits practice to,” “focus on,” “emphasis on”



## Rule 7.04 – Advertisements in the Public Media

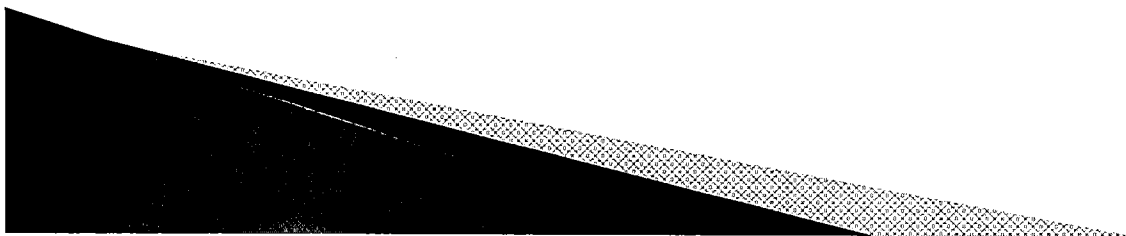
- ▶ All required disclaimer or disclosure must be displayed in the same manner & equal prominence as the item being disclaimed or disclosed.

(No more really small “fine” print!)



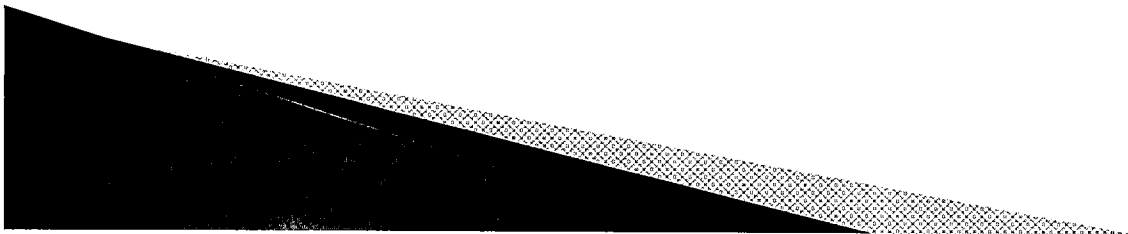
## Rule 7.05 – Solicitations

- ▶ Must comply with 7.02 (cannot be false, misleading or deceptive) and parts of 7.04.
- ▶ Must state the information source that prompted the communication.
  - (From what organization and what records did you get the person's name?)
- ▶ Cannot reveal on the envelope the nature of the legal problem or matter.



## Rule 7.05 – Solicitations

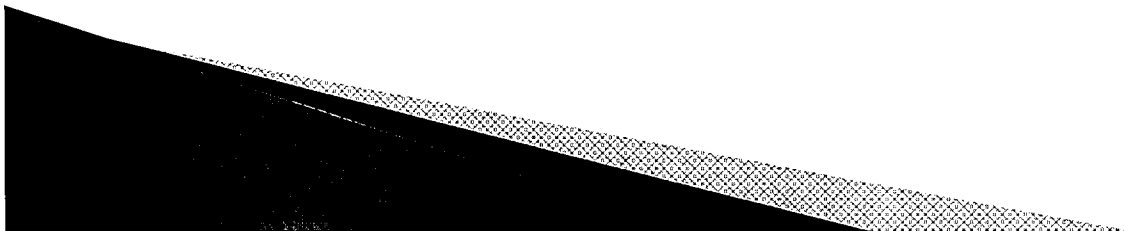
- ▶ ADVERTISEMENT must be printed on the letter's first page and on the face of the envelope in a conspicuous manner.
- ▶ Applies to audio, audio-visual, digital, electronic and recorded telephone messages, not just written materials.
- ▶ Complete Addendum Form when submitting.





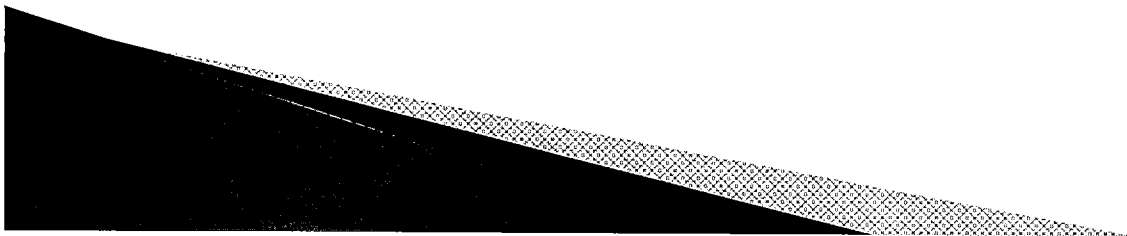
## Rule 7.07 (e) – Exempted from Filing

- If an ad ONLY lists the following items:
  - “Tombstone” Information (Business card);
  - Listing the particular areas of law in which the lawyer or firm practices or concentrates or to which it limits its practice (and/or in which the lawyer is certified);
  - Date of admission of the lawyer or lawyers to the State Bar of Texas, to particular federal courts, & to the other bars of other jurisdictions;



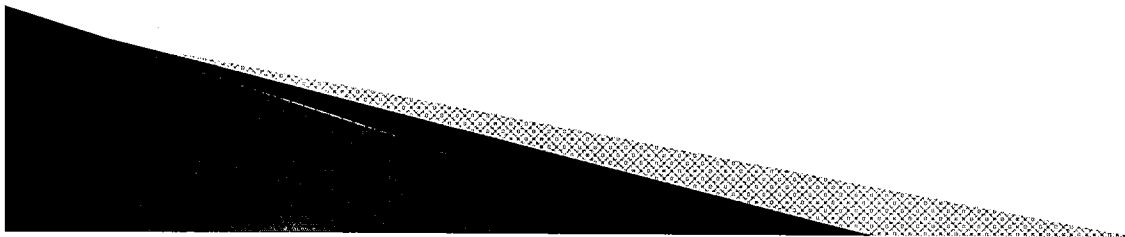
## Rule 7.07 (e) – Exempted from Filing

- Technical & professional licenses granted by this state & other recognized licensing authorities (CPA, RN, MD);
- Foreign language ability (“Se habla español”);
- Acceptance/non-acceptance of credit cards; &
- Any fee for initial consultation & fee schedule;
- Links to other websites; and
- Indicating sponsorship of a charitable, civic, or community program or event.



## Rule 7.07 – Filing Requirements Info.

- ▶ Committee can request substantiation of any claim made in advertisement per Rule 7.07(f).
- ▶ Penalty for not filing an advertisement is a non-filer fee of \$300.
- ▶ Failure to file an ad or solicitation is a violation of disciplinary rules.



# Websites , Blogs & Social Media

- ▶ All attorney communications are covered under Rule 7.02, including websites, blogs and social media.
- ▶ Websites, blogs and social media are considered advertisements if information goes beyond what is exempt under Rule 7.07(e).
- ▶ Commenting on a specific area of law, or development in an area of law is fine, provided the communication does not violate the rules.
- ▶ Many blogs do not need to be submitted if they only post material that is academic or educational in nature.

## Website & Contact Information

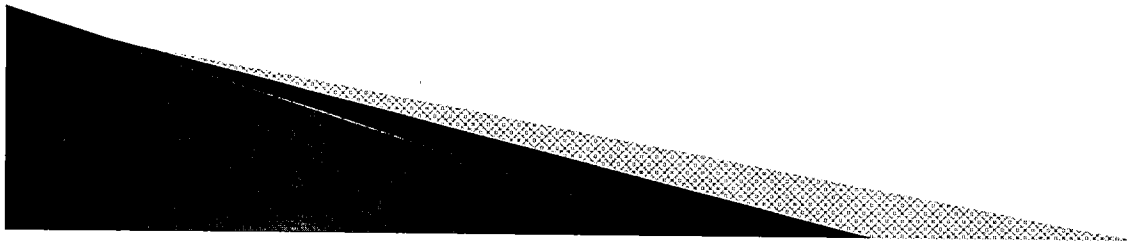
- ▶ Download the Rules, Interpretive Comments & Application Form from

**[www.texasbar.com/adreview](http://www.texasbar.com/adreview)**

- ▶ Contact Advertising Review:

**Tel. No.: 800-566-4616**

**Email: [adreview@texasbar.com](mailto:adreview@texasbar.com)**



**17. The Internet and Similar Services Including Home Pages. (March 1996, revised May 2003, Revised 2010)**

Part VII of the Texas Disciplinary Rules of Professional Conduct applies to information disseminated digitally via the Internet. A digitally transmitted message that addresses the availability of a Texas lawyer's services is a communication subject to Rule 7.02, and when published to the Internet, constitutes an advertisement in the public media.

**A. Websites**

A website on the Internet that describes a lawyer, law firm or legal services rendered by them is an advertisement in the public media. For the purposes of Part VII of the TDRPC, "website" means a single or multiple page file, posted on a computer server, which describes a lawyer or law firm's practice or qualifications, to which public access is provided through publication of a uniform resource locator (URL).

Of the pages of a website subject to these rules, many may be accessible without use of the site's own navigational tools. Of those pages, for the purpose of this Interpretative Comment, the "intended initial access page" is the page of the file on which navigational tools are displayed or, in the case that navigational tools are displayed on several pages, the page which provides the most comprehensive index capability on the site.

The intended initial access page of a lawyer or law firm's website shall include:

- 1) the name of the lawyer or law firm responsible for the content of the site
- 2) if areas of law are advertised or claims of special competence are made on the intended initial access page or elsewhere on the site, a conspicuously displayed disclaimer regarding such claims in the language prescribed at Rule 7.04(b); and
- 3) the geographic location (city or town) in which the lawyer or law firm's principal office is located. Publication of a link to a separate page bearing the required disclaimer or information required by Rule 7.04(b) does not satisfy this requirement.

**B. Web-Based Display/Banner Ads**

An image or images displayed through the vehicle of an electronic communication is an advertisement in the public media if the ad describes a lawyer or law firm's practice or qualifications, whether viewed independently or in conjunction with the page or pages reached by a viewer through links offered by the ad ("target page"). The content of a web-based display or banner ad will be viewed in conjunction with the target page.

**C. Social Media Sites**

Landing pages such as those on Facebook, Twitter, LinkedIn, etc. where the landing page is generally available to the public are advertisements. Where access is limited to existing clients and personal friends, filing with the Advertising Review Department is not required.

**D. Blogs**

Blogs or status updates considered to be educational or informational in nature are not required to be filed with the Advertising Review Department. However, attorneys should be careful to ensure that such postings do not meet the definition of an advertisement subject to the filing requirements.

**E. Compliance**

Regardless of the form of the electronic communication described in this interpretive comment, the content, including words, sound and images, shall conform to the requirements of part VII of the TDRPC.

**F. Records Retention**

A printed copy of the electronic communication including, where applicable, intended initial access page, profile page, web-based display/banner ads and target page are subject to the retention requirements of Rule 7.04(f).

**G. Filing Requirements**

Electronic communications described in this interpretive comment are advertisements in the public media subject to the filing requirements of Rule 7.07 unless exempt thereunder. It is the communicating attorney's responsibility to demonstrate that any particular online communication need not be filed with the Committee.

**H. Web-Based Directories**

A lawyer or law firm's listing on a web-based directory that is accessible by the public shall be exempt from the filing requirements of Rule 7.07 if it meets the requirements of 7.07(e).

**I. Internet Domain Names**

Rule 7.01 prohibits lawyers and law firms from advertising or practicing under a trade name or a name that is false and misleading. Therefore, an internet domain name or URL may not be used as the name under which a lawyer or firm does business. A domain name that is a reasonable variation of the law firm name as permitted under Rule 7.01 or that is a description of the lawyer or law firm may be used as a locator or electronic address only if such use does not violate the provisions of 7.02.

# APPLICATION FORM LAWYER ADVERTISING AND SOLICITATION COMMUNICATIONS

Effective July 29, 1995, Part VII of the Texas Disciplinary Rules of Professional Conduct (TDRPC) require that a lawyer **file** with the Advertising Review Committee a copy of all public media advertisements and solicitation communications, except those exempt by Rule 7.07(e), contemporaneously with first dissemination or mailing. If desired, an advisory opinion (**pre-approval**) may be obtained by submitting a copy of the advertisement or writing at least 30 days prior to its first dissemination or mailing. (If pre-approval is requested for an advertisement that is to be placed in a telephone directory or similar publication, the ad must be submitted at least 30 days prior to the printing deadline of the publication rather than 30 days prior to dissemination date of the publication.) If a pre-approval is requested, a response will be mailed within 25 days of the date of receipt of a completed application packet.

<b><u>For Committee Use Only</u></b>	
Fee Enclosed _____	_____
Letter/Email _____	_____
Brochure/Newsletter _____	_____
Print Ad _____	_____
Script _____	_____
Recording _____	_____
Website _____	_____
Billboard _____	_____
Case No. _____	_____
Date Rec'd. _____	_____

INSTRUCTIONS FOR SUBMISSION OF A COMPLETE APPLICATION PACKET	
<p>1. Complete the <u>entire</u> Application. You can either complete each space on this form online and then print it after completion or print the form and complete it manually by printing your responses. This form may be reproduced.</p> <p>2. Attach advertisement or solicitation communication.</p> <ul style="list-style-type: none"> <li>&gt; For a solicitation letter, attach a sample of the letter and the envelope in which it will be mailed.</li> <li>&gt; For a television or radio ad or internet video, attach a <u>detailed</u> production script (including ad title or number) and recording on an audio or video disk/USB flash drive.</li> <li>&gt; If requesting pre-approval of a television or radio ad or internet video that has not yet been produced, a production script can be submitted without the recording on CD/DVD or USB flash drive.</li> <li>&gt; For an ad or letter in any language other than English, attach a complete, accurate English translation along with the ad, script, or solicitation in the original language.</li> <li>&gt; <b>For a website, include the domain name/URL address on the Application Form and two printed copies of the initial access page.</b></li> </ul>	<p>3. Enclose check in the amount of <b>\$100.00</b> payable to the State Bar of Texas for each ad or writing unless you complete the credit card section of this form.</p> <p>4. <b><u>Mail original and one copy* of each completed application packet to:</u></b>  <b>Advertising Review Committee</b>  <b>State Bar of Texas</b>  <b>PO Box 12487</b>  <b>Austin, TX 78711-2487</b></p> <p>*Note exception: It is not necessary to include an additional copy of the recording on a second CD/DVD or USB flash drive for television or radio commercials or internet videos.</p> <p>If multiple advertisements are being submitted, a separate application packet and fee must be submitted for each advertisement or writing. If submitting more than one packet at a time, television or radio advertisements or internet videos can be combined onto one disk/tape. Filing fees can also be combined onto one check. <u>Incomplete application packets may be returned and will not be docketed for review.</u> Addendum Form is located on the Mandatory Submission Steps page of the Committee's website, <a href="http://www.texasbar.com/adreview">www.texasbar.com/adreview</a>.  <b>For questions concerning filing requirements, call 1-800-566-4616 or email <a href="mailto:adreview@texasbar.com">adreview@texasbar.com</a>.</b></p>

Lawyer\*: \_\_\_\_\_ Bar Card #: \_\_\_\_\_

Firm: \_\_\_\_\_

Firm's Principal Office Address\*: \_\_\_\_\_

Phone\*: \_\_\_\_\_ Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

**Nature of advertisement or solicitation communication\*:**

- A. \_\_\_\_\_ Letter (Complete Addendum Form) E. \_\_\_\_\_ Brochure Newsletter (Complete Addendum Form) I. \_\_\_\_\_ Billboard Ad
- B. \_\_\_\_\_ Telephone Directory F. \_\_\_\_\_ Internet Ad J. \_\_\_\_\_ Other
- C. \_\_\_\_\_ Magazine/Newspaper G. \_\_\_\_\_ Internet Video
- D. \_\_\_\_\_ Television/Radio H. \_\_\_\_\_ Website, URL: \_\_\_\_\_

*This form (updated 06/01/2015) supersedes all prior forms.*

**\* Required Fields**



(.....page 2 of 2, form continued from front)

It is extremely important that you review the explanation of the difference between filing and pre-approval at top of this page before answering the following question:

Does applicant seek pre-approval?\* Yes (pre-approval) \_\_\_\_\_ No (filing) \_\_\_\_\_  
If you answered No, state the date the advertisement or solicitation was first disseminated or mailed. \_\_\_\_\_

Is it likely that a case or matter resulting from the advertisement or solicitation will be referred to another lawyer or law firm?\* Yes \_\_\_\_\_ No \_\_\_\_\_

Does the advertisement or solicitation disclose or allude to a specific fee, range of fees, or that the lawyer or law firm will render fees on a contingent fee basis?\* Yes \_\_\_\_\_ No \_\_\_\_\_

Does the advertisement or solicitation disclose the existence of an office other than the firm's principal office?\*

Yes \_\_\_\_\_ No \_\_\_\_\_  
If you answered Yes, is the satellite office staffed by a lawyer at least three days per week? Yes \_\_\_\_\_ No \_\_\_\_\_

Does the advertisement or solicitation designate or allude to one or more specific areas of practice?\*

Yes \_\_\_\_\_ No \_\_\_\_\_  
If you answered Yes, is the lawyer board certified in the areas of practice advertised? Yes \_\_\_\_\_ No \_\_\_\_\_

Has another lawyer or law firm paid any part of the advertisement or solicitation?\*

Yes \_\_\_\_\_ No \_\_\_\_\_  
If you answered Yes, identify the lawyer or law firm. \_\_\_\_\_

In what geographic location(s) will the material be disseminated?\*

Identify any lawyers depicted in the submitted material.\*

Identify any actual clients depicted in the submission along with such clients' addresses and phone numbers.\*

**Note:** The Advertising Review Department may request substantiation of any statement or representation made in the submitted advertisement or solicitation communication.

**Payment by credit card:** Name of cardholder \_\_\_\_\_ (circle one) AMEX MC Visa \$ \_\_\_\_\_

Please Print

Number: \_\_\_\_\_ Date of Expiration \_\_\_\_\_  
ATTEST: I HAVE REVIEWED THE ADVERTISEMENT OR WRITING SUBMITTED AS REQUIRED BY RULE 7.04(e) OR 7.05(d), TDRPC. THE REPRESENTATIONS CONTAINED THEREIN AND THE INFORMATION IN THIS APPLICATION ARE TRUE AND CORRECT.

Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_

FOR COMMITTEE USE ONLY			
PRE-APPROVED	APPROVED	ADD'L INFORMATION REQUESTED	REFERRED TO CHIEF DISC. COUNSEL
DATE _____	DATE _____	DATE _____	DATE _____
BY _____	BY _____	BY _____	BY _____

This form (updated 06/01/2013) supersedes all prior forms.

\* Required Fields

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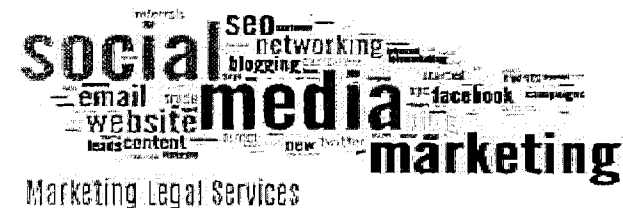


Keys to establishing *and*  
communicating your value

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# Marketing Your Practice = A Must Do.

- 75% of people who actually hire an attorney **search online resources.**
- 58 million people used online resources in 2016 to find an attorney.
- When searching for an attorney people have one question: ***do you have experience solving my problem(s)?***
- Social profiles are the **cornerstone of your online marketing** – make them work for you.



# Common Missteps in Legal Marketing

- Relying on firm's marketing department or **not marketing at all**.
- Forgetting that when someone agrees to let you represent them, they are hiring ***you***, even if you work for a firm.
- **Speaking in terms of practice areas vs. problems solved.**
- Not taking opportunities to be a Subject Matter Expert (SME).
- Only networking with other attorneys – *think about tangential professionals who could be a source of referrals.*



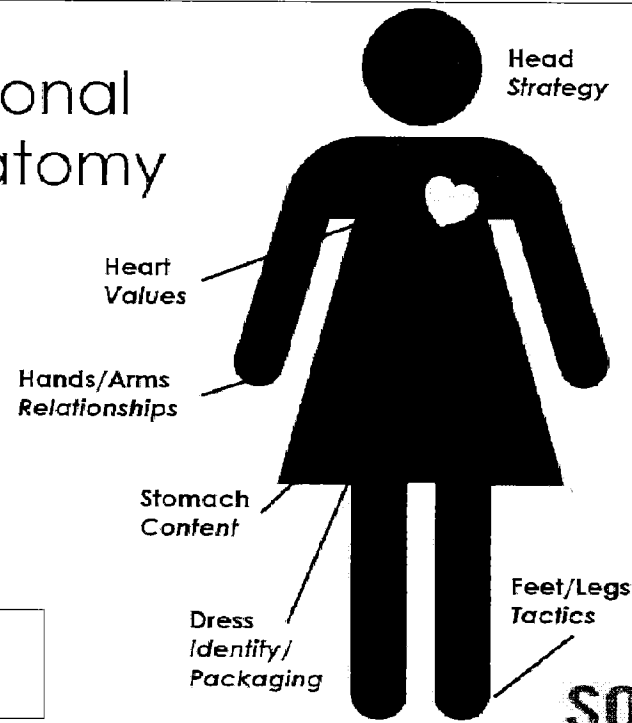
# 2017 Top Legal Marketing Trends

- Content will remain queen.
- **Mobile marketing** will become even more crucial than it already is.
- Video marketing - videos posted to YouTube, Facebook, Twitter, LinkedIn and other social media outlets are a highly effective method of **directing traffic to your website**.
- Mobile Apps - apps **streamline communications** between clients and attorneys.
- **Attorneys** emerging from the shadow of the firm/company to **create their own brand**.



# Anatomy of Your Personal Brand

## YOUR Personal Brand Anatomy



social media marketing  
seo networking blogging facebook  
email website leads content new

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Marketing Legal Services

# To Establish Your Brand...

- Determine your “brand anatomy.”
- Decide if you want/need to change or reposition your brand.
- Develop your brand DNA and the attributes that support it
  - *What are your unique skills/attributes/experience/areas of expertise?*
  - *What is your competitive advantage?*
- Socialize your brand - use your channels.
- **BE CONSISTENT – words, actions, appearance**

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# A Few Parting Thoughts

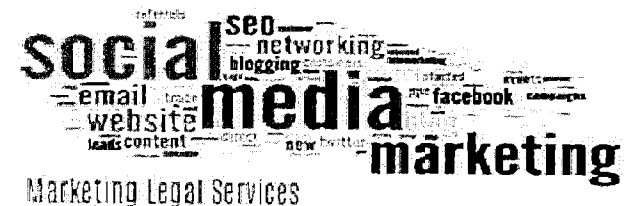
*All of us need to understand the importance of branding. We are CEOs of our own companies: Me Inc. To be in business today, our most important job is to be head marketer for the brand called You.*

– Tom Peters in *Fast Company*

*A brand is the set of expectations, memories, stories and relationships that, taken together, account for a consumer's decision to choose one product or service over another.*

– Seth Godin

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Want to connect or continue this conversation?

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Twitter: <https://twitter.com/ShavonnahSNRC>

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# TEXAS' Political Advertising

## A Primer Based on a Texas Ethics Commission Guide

Greetings to the Downtown Group! My name is Zahra Buck Whitfield, I am a graduate of TMSL Class of 2001. My previous work included: Legislative Counsel for U.S. Congressman Bennie Thompson and Committee Counsel to the U.S. House Homeland Security Committee. I also previously worked as a lobbyist and lawyer to Capitol Counsel, a top ten lobbying firm in Washington, DC and I currently own a governmental affairs consulting firm by the name of Buck Group Government Strategies where we advise state and federal candidates and political action committees on legislative issues and political strategies. I also currently serve as the Associate Director to the Center of Government Law at TMSL's Earl Carl Institute.

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\*\*\*\* This is a primer on Texas' Election Law. Candidates for Federal Office should check with the Federal Election Commission (FEC) at 800-424-9530 or at [www.fec.gov](http://www.fec.gov) for information on federal political laws\*\*\*\*

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This primer is based on the Texas Ethics Commission's Guide. This guide can be found at: <https://www.ethics.state.tx.us/guides/Gpolad.pdf>

The statute governing this guide is: Chapter 25 of Texas' Election Code. In Texas, election law requires certain disclosures & notices on political ads. The law prohibits misrepresentation in ads and campaign communications.

### Disclosure Statements- When are they required?

Disclosure statements are required where there is express advocacy. The person who causes the ad to be published, distributed or broadcasted is responsible for including the disclosure statement.

Express advocacy is not defined but is interpreted to mean advertisement that is authorized by a candidate, an agent of a candidate or political committee filing campaign finance reports.

### What a disclosure statement should say?

1. It should use the wording of "political advertising" or abbreviation such as "pol. adv."
2. The full name of one of the following:
  - a. The person who paid for the advertising;
  - b. The political committee authorizing the political advertising; OR
  - c. The candidate or specific purpose committee supporting the candidate, if the political adv. is authorized by the candidate.

\*\* The disclosure statement must appear on the face of the political advertising or be clearly spoken if the political ad doesn't include written text.

\*\* Only attribute it to "Committee to Elect Jane Doe" if that entity exists and is filed with the Ethics commission or local authorities.

General Rule of Thumb: When in doubt, the do the cautious thing.

1. Use the political disclosure statement whenever you think necessary
2. Do not use any misleading advertising or campaign communications
3. If you are using ads from a previous campaign, you may want to check the current laws to ensure that the law has not changed.

*What is defined as political advertising has a two part test. At least one category in both parts must be met to be considered political advertising.*

1. What Does it Say AND
2. Where Does it Appear.

### What Does it Say?

- a. It must support or oppose a candidate for nomination or election to either a public office/office/political party OR
- b. Include communications supporting or opposing an officeholder/political party/or measure such as a ballot proposition

### Where does it appear?

- a. Includes communications in pamphlets, circulars, fliers, billboards or other signs, bumper stickers, or similar forms OR
- b. Published ads in newspapers, magazines or other periodicals OR
- c. Broadcast by radio or t.v. in return for consideration OR
- d. Communications on an internet website

*Remember- Political advertising is a term of art. Please do not use the laymen's term and understanding of this concept.*

### Exceptions to Disclosure Statement Rule: (No need for disclosure on)

1. T-shirts, balloons, buttons, hats, lapel stickers, small magnets, pencils, pens, pins, wooden nickels, candy wrappers and similar materials
2. Invitations or tickets to political fundraising events, or events held to establish support for a candidate or office holder.
3. An envelope that is used to transmit political advertising provided that the political ad in the envelope includes disclosure statement
4. Circulars or fliers that cost in the aggregate less than \$500 to publish and distribute
5. Political ads printed on letterhead stationary

\*\*If you find that your political ads don't include a disclosure statement, the law prohibits a knowing exclusion of the statement. A person is presumed to know under the law if the Texas Ethics Commission notifies the person in writing.

\*\* If you find out that a disclosure statement on a political ad to be seen from the road is inaccurate or does not include a disclosure statement at all, the law requires a good faith attempt be made to remove or correct the signs.

**Fair Campaign Practices Act-** sets out basic rules of decency, honesty and fair play to be followed by candidates and political committees during a campaign.

**Special Rule for Judicial Candidates/Officeholders/Committees:  
Expenditure Limits:**

If you are a candidate for the Supreme Court/Court of Criminal Appeals/District Courts/Statutory County Courts/County Courts at Law/ Statutory Probate Courts, you are required to file a form declaring intent to either comply with or exceed voluntary expenditure limits of the Judicial Campaign Fairness Act.

**Voluntary Compliance with the Expenditure Limits:**

Once the candidate has declared an intent to comply with expenditure limits may state the following in her political advertising:

*"Political advertising paid for by (name of the candidate or committee) in compliance with the voluntary limits of the Judicial Campaign Fairness Act."*

**Intent to Exceed the Expenditure Limits:** Where the candidate intends to exceed the expenditure limits, their political ads must include the following:

*"Political ads paid for by the (insert Name of candidate) has rejected the voluntary limits of the Judicial Campaign Fairness Act."*

**Right of Way Signs:**

All written political ads that are meant to be seen from a road must carry a R.O.W. sign. It can be a criminal offense to omit a right of way notice sign.

**R.O.W. signs under Section 255.007 of the Texas Election Code sets for the language which is:**

**NOTICE: it is a violation of state law (Chapters 392 and 393, Transportation Code) to place this sign in the right of way of a highway.**

This applies to yard signs meant to be seen from any road but NOT Bumper stickers. However Bumper stickers do need a political advertising disclosure statement.

**How Long Can signs be posted?** Please check with your city or county government and with the Texas Department of Transportation.

**Misrepresentation**

This is pretty self-explanatory. Neither you nor your agents can misrepresent a person's identity nor official title nor the source of advertising/communications.

No misrepresentation of the office that you hold during your campaign. If you are not an incumbent, you must state you're running for election not re-election.

**Thank you for your time, DTG! I can be reached at [zbwhitfield@tmslaw.tsu.edu](mailto:zbwhitfield@tmslaw.tsu.edu) or at 202-384-9505.**